

Attorney Docket No.: 039592-001200  
Application No.: 10/719,504

### REMARKS

The above Amendments and these Remarks are submitted under 35 U.S.C. § 132 and 37 C.F.R. § 1.111 in response to the Office Action mailed October 6, 2005.

#### Summary of the Phone Interview on November 14, 2005

The Applicant appreciates the fact that Examiner Lewis granted the phone interview that took place on Monday, November 14, 2005. In addition to Examiner Lewis and the undersigned attorney, Examiner Ryan and Dr. Galloway took part in the phone interview.

Claim 1, the only independent claim in the case after the Response to the Restriction Requirement canceling claims 17-31, as presently amended was discussed in light of the primary reference, Galloway, U.S. Patent No. 6,187,465 (Galloway), and the secondary reference, Webster, Jr. *et al.*, U.S. Patent No. 6,086,722 (Webster *et al.*). After some discussion, Examiner Ryan stated that amended claim 1 is inventively and patentably distinguishable over the cited references. However, he requested that the Applicant submit this Amendment and stated that Examiner Lewis will conduct a search for prior art that may exist against claim 1.

#### Summary of the Examiner's Action and Applicant's Response

Original claim 1 was rejected as being unpatentable over Galloway in view of Webster *et al.* Dependent claims 2-5 and 7-16 were rejected based on the teachings of Galloway. Claim 6 directed to the rotary kiln was not mentioned in the October 6, 2005 Office Action.

Claim 1 has now been amended to substitute the term "reactor" with the following phrase:

"kiln having an inlet means, a gas outlet means, and a solids outlet between the inlet means and the gas outlet means."

Attorney Docket No.: 039592-001200  
Application No.: 10/719,504

The latter phrase is found in the Summary of the Invention section on page 4, lines 7-9 of the specification. By including this phrase in claim 1, the Applicant believes that all of the claims pending in the case are patentable over the prior art.

**Conclusion**

For the above reasons, the Applicant respectfully submits that all pending claims, Claims 1-16, in the present application are allowable.

If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (415) 984-8200.

Respectfully submitted,



Richard A. Dannells  
Registration No: 22,654

December 1, 2005  
NIXON PEABODY LLP  
Suite 900, 401 9<sup>th</sup> Street, N.W.  
Washington, D.C. 20004-2128